

**Response to Missing  
Requirements Under  
35 USC § 371**

Attorney Docket No.: SHIGA5.001APC

First Named Inventor: Hiroaki Tsutsumi

Int'l Application No.: PCT/JP03/02439

US Application No.: 10/506,398

Entered National Phase: September 1, 2004

Title: SYNTHETIC RESIN CAP, CLOSING DEVICE, AND  
CONTAINER-FILLED BEVERAGE

**Direct all correspondence to Customer No.: 20995**

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**Mail Stop PCT**

United States Patent and Trademark Office

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Alexandria, VA 22313-1450

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, on

5/9/2005

(Date)

Eric M. Nelson

Eric M. Nelson, Reg. No. 43,829

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

- (X) This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
- (X) Copy of the Notification of Missing Requirements under 35 USC 371 dated March 18, 2005.
- (X) An Oath or Declaration signed by the inventors (35 USC 371(c)(4)) in 2 pages.
- (X) A Verification of Translation.
- (X) Information Disclosure Statement and Form PTO/SB/08 Equivalent in 2 total pages (IDS and 1449).
- (X) four references
- (X) Preliminary Amendment.
- (X) Substitute Specification and redlined version
- (X) Return prepaid postcard.

**FILING FEES NOT YET PAID:**

FEE CALCULATION				
FEE TYPE		LARGE FEE	CALCULATION	TOTAL
Late Oath/Decl.	37 CFR § 1.492(h)			\$65
05/16/2005 MKAYPAGH 00000081 10506398			SUB TOTAL	\$65
01 FC:2617	65.00 DP		TOTAL FEE DUE	\$65

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Page 2 of 2

(X) A check in the amount of \$65 is enclosed to cover the above fees.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-1410.



Eric M. Nelson

Registration No. 43,829

Attorney of Record

Customer No. 20,995

(619) 235-8550

1696105  
050505

10 Rec'd PCT/PT8

11 MAY 2004

SHIGA5-001APC asy  
emn/HZC

## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/506,398	Tsutsumi	SHIGA5.001APC

INTERNATIONAL APPLICATION NO.
PCT/JP03/02439

I.A. FILING DATE	PRIORITY DATE
03/03/2003	03/04/2002

20995  
 KNOBBE MARTENS OLSON & BEAR LLP  
 2040 MAIN STREET  
 FOURTEENTH FLOOR  
 IRVINE, CA 92614

CONFIRMATION NO. 1423

371 FORMALITIES LETTER



\*OC000000015471105\*

Date Mailed: 03/18/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/01/2004
- Copy of the International Search Report filed on 09/01/2004
- Copy of IPE Report filed on 09/01/2004
- Information Disclosure Statements filed on 12/10/2004
- Small Entity Statement filed on 09/01/2004
- Request for Immediate Examination filed on 09/01/2004
- Copy of references cited in ISR filed on 09/01/2004
- U.S. Basic National Fees filed on 09/01/2004
- Priority Documents filed on 09/01/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 308-9140 EXT 228

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/506,398	PCT/JP03/02439	SHIGA5.001APC

10 Rec'd POMP

11 MAY 2004

## VERIFICATION OF TRANSLATION

I, the below named translator, hereby declare that:

My name and post office address are as stated below:

I am knowledgeable in the English language and in the language in which the international application No. PCT/JP03/02439 was filed, and that I believe the English language translation, submitted on September 1, 2004 (Attorney Docket No. SHIGA5.001APC) in the U.S. Patent and Trademark Office, is an accurate translation of the above-identified international application as filed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: August 10, 2004

Full name of the translator: Kyoichiro Sanda

Signature of the translator: Kyoichiro Sanda

Post Office Address: c/o Shiga International Patent Office,

2-3-1 Yaesu, Chuo-ku, Tokyo,

Japan